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June 13, 2013

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Madame Chair and Members of the Committee,

Thank you for allowing MPA to be part of the discussion with regard to HB 4298.

We feel that this bill would create a new term in law that is contradictory to SB 8, a bill that this committee voted to support unanimously on May 9.

HB 4298 creates the term "notice publication" which basically defines a shopper and provides treasurers the ability to place the tax notice inserts in this sort of publication.

When we ran SB 8 it was with two purposes...to allow for online posting of notices on a newspaper website if no print publication existed and to strengthen the definition of newspaper to make sure that notices (which are permanent legal documents) are permanent and archivable.

We also wanted to provide a consistent definition of newspaper to use in any State statute in relation to the publication of a notice.

HB 4298 does not provide for permanency or archivability and it doesn't direct these notices into a credible news source. In order to provide due process (especially in cases like this when citizens are at risk of losing their homes) MPA does not believe that inserting the notice in a shopper is the best format to provide a permanent, archivable, legal record.

Another concern of ours with regard to this legislation is the reduction in the number of inserts required from three to two. Again, we are concerned with due process especially because these notices involve people potentially losing their home.

Thank you for taking our testimony. We hope that you will consider removing the notice publication language from this bill and require that these inserts be put in publications that meet the definition of newspaper in Michigan law.

Sincerely,



Lisa McGraw, Public Affairs Manager
Michigan Press Association